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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

7 EMERY SLAYDEN,
8 Petitioner,
9 vs.
10 E.K. McDANIEL, *et al.*,
11 Respondents.

2:06-cv-0664-PMP-RJJ

ORDER

13 Emery Slayden, a Nevada prisoner, has filed a Motion for Complete Copy of Records (ECF
14 No. 25) in anticipation of a renewed appeal effort on the basis of actual innocence. He has also
15 recently provided a signed copy of the supporting Declaration of Ted L. Gunderson, private
16 investigator of Gunderson and Associates located in Los Angeles, California, (ECF No. 26), dated
17 October 9, 2011. The Court notes that petitioner, in violation of the Court's rules, has failed to serve
18 a copy of his motion upon respondents. *See* LR 5-1.

19 The Declaration from Mr. Gunderson which sets out his license number and social security
20 number (another violation of Court Special Order 108) indicates Gunderson's plans to obtain Sandy
21 Doram's affidavit upon his return from Panama in December, 2011. The Declaration causes the
22 Court some concern, as the Court was under the impression that Mr. Gunderson had recently passed
23 away. Therefore, respondents shall be required to file a response to the motion and shall confirm for
24 the Court whether or not Mr. Gunderson is, in fact, alive.

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1 **IT IS THEREFORE ORDERED** that the Clerk shall serve the motion and declaration upon
2 respondents.

3 **IT IS FURTHER ORDERED** that the respondents shall, within thirty days of entry of this
4 Order, file a response to the Motion for Complete Record which shall also confirm for the Court Mr.
5 Gunderson's status.

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7 DATED: October 20, 2011.



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10 PHILIP M. PRO
11 United States District Judge

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